

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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Skky, Inc.,

Case No.:13-2086 (PJS/JJG)

Plaintiff,

vs.

Manwin USA, Inc., and Manwin Holding, s.a.r.l.,

Defendants.

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Skky, Inc.,

Case No.:13-2089 (PJS/JJG)

Plaintiff,

vs.

Playboy Enterprises, Inc.,

Defendant.

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**DECLARATION OF TODD M. NOSHER  
IN SUPPORT OF DEFENDANTS' MOTION FOR PROTECTIVE ORDER**

**I, TODD M. NOSHER, ESQ.,** of full age, hereby state as follows:

1. I am an attorney at law of the State of New York and associate at Venable LLP.

2. I submit this Declaration in support of Defendants Manwin USA, Inc., Manwin Holding s.a.r.l., and Playboy Enterprises, Inc.'s (collectively "Defendants") Motion for Protective Order pursuant to Fed. R. Civ. P. 26(c) ("Motion").

3. Attached hereto as Exhibit 1 is a true and correct copy of the December 20, 2013 Judgment and Order of the Court of Quebec as entered by the Honorable Armando Aznar, J.C.Q in Case No. 500-22-208549-132 (“Judgment”).

4. Attached hereto as Exhibit 2 is a true and correct copy of the Quebec Business Concerns Records Act (“QBCRA” or “Act”) as set forth on the Province of Quebec’s website at [http://www2.publicationsduquebec.gouv.qc.ca/documents/lr/D\\_12/D12\\_A.htm](http://www2.publicationsduquebec.gouv.qc.ca/documents/lr/D_12/D12_A.htm).

5. Attached hereto as Exhibit 3 are true and correct copies of Skky’s February 12, 2014 Proposed Stipulation and Ryan Schulz’s February 12, 2014 letter to Todd Noshier and Timothy Heverin.

6. Attached hereto as Exhibit 4 is a true and correct copy of Justi Rae Miller’s January 6, 2014 letter to the Court as filed as Manwin Dkt. No. 34.

7. Attached hereto as Exhibit 5 is a true and correct copy of Ryan Schultz’s January 16, 2014 email to Todd Noshier.

8. Attached hereto as Exhibit 6 are true and correct copies of Skky’s First Notice of Deposition Pursuant to Rule 30(b)(6) in Civil Action Nos. 13-2086 and 13-2089 as emailed by Ryan Schultz to counsel for Manwin and Playboy on December 23, 2013.

9. Attached hereto as Exhibit 7 is a true and correct copy of Todd Noshier’s January 4, 2014 email to Ryan Schultz.

10. Attached hereto as Exhibit 8 is a true and correct copy of Todd Noshier's January 30, 2014 email to Ryan Schultz.

11. Attached hereto as Exhibit 9 is a true and correct copy of Todd Noshier's February 5, 2014 letter to Ryan Schultz.

12. Attached hereto as Exhibit 10 is a true and correct copy of Todd Noshier's January 31, 2014 letter to Ryan Schultz and enclosed proposed stipulation.

13. Attached hereto as Exhibit 11 is a true and correct copy of Skky's proposed stipulation provided on February 5, 2014.

14. Attached hereto as Exhibit 12 is a true and correct copy of Ryan Schultz's February 12, 2014 letter to Todd Noshier and enclosed proposed stipulation.

15. Attached hereto as Exhibit 13 is a true and correct copy of Manwin's Third Amended Initial Disclosures as served on January 31, 2014 in Civil Action Nos. 13-2086.

16. Attached hereto as Exhibit 14 is a true and correct copy of Playboy's Third Amended Initial Disclosures as served on January 31, 2014 in Civil Action Nos. 13-2089.

17. Attached hereto as Exhibit 15 is a true and correct copy of Skky's Initial Disclosures as served on November 22, 2013 in Civil Action Nos. 13-2086 and 13-2089.

18. Attached hereto as Exhibit 16 is a true and correct copy of Todd Noshier's February 19, 2014 letter to Ryan Schultz.

I hereby certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements are willfully false, I am subject to punishment.

Dated: March 13, 2014

s/Todd M. Noshier

Todd M. Noshier